

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED CLERK
U.S. DISTRICT COURT

05 NOV 10 PM 2:05

TEXAS-EASTERN

STMICROELECTRONICS, INC.

§

V.

§

§

§

SANDISK CORPORATION

§

BY
CASE NO. 4:05CV44
(Judge Schell/Judge Bush)

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE

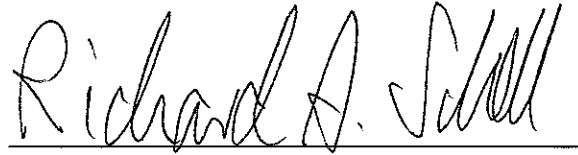
Came on for consideration the Report of the United States Magistrate Judge in this action, this matter having been heretofore referred to United States Magistrate Judge Don D. Bush pursuant to 28 U.S.C. § 636. On October 20, 2005, the Report of the Magistrate Judge was entered containing his proposed findings of fact and recommendations that the Court adopt the Special Master's Claims Construction Report and that Special Master Methvin's findings and conclusions of law become those of the Court.

Having received the report of the United States Magistrate Judge, and having made a *de novo* review of the objections filed by Defendant thereto, this Court is of the opinion that Defendant's objections are without merit. The Court therefore finds that the findings and conclusions of the Magistrate Judge are correct and adopts the same as the findings and conclusions of the Court. It is, therefore,

ORDERED, ADJUDGED and DECREED that the Court **ADOPTS** the Report and Recommendation of United States Magistrate Judge Don D. Bush filed on October 20, 2005 as the opinion of the Court. The Court further **ADOPTS** the Special Master's Claims Construction Report, which was attached to the Report and Recommendation as Exhibit A, and **ADOPTS**

Special Master Methvin's findings and conclusions of law, which, pursuant to this order, constitute the Court's ruling on the construction of the disputed patent claims in this proceeding, as those of the Court.

SIGNED this 9th day of November, 2005.

A handwritten signature in black ink, reading "Richard A. Schell". The signature is written in a cursive, flowing style. The first name "Richard" is written with a large, prominent "R". The last name "Schell" is written with a large, prominent "S". The signature is written above a horizontal line.

RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE